

~ ~ ACCIDENT PREVENTION/INSURANCE RISK ~ ~
NEWSLETTER
 WINTER 2016/2017



STATE ACCIDENT PREVENTION/INSURANCE RISK CHAIRS

It was great to meet each of you in the Windy City at the Accident Prevention Seminar. Your participation will help us develop strategies to address the challenges that face your Lodges. Thank you for your warm welcome as we move forward utilizing your experience and knowledge.



ICE AND SNOW REMOVAL

Now is the time to plan for keeping walkways, steps and parking lots safe for the coming months:

- ◆ Determine if someone (a contractor) plows the lot and shovels the walks/steps;
- ◆ Obtain a written contract if a contractor plows/shovels;
- ◆ Make sure that a contractor has insurance for snow removal operations;
- ◆ Have the contractor provide an insurance certificate confirming insurance coverage;
- ◆ Request that the Lodge be named as an additional insured on the insurance certificate;
- ◆ Lodges that use employees/volunteers to remove snow will need salt and shovels;
- ◆ Salt applied at the right time and location helps with footing;
- ◆ Clean and dry mats inside the Lodge reduce tracked in snow and water; and
- ◆ Update Members and guests when the weather changes during Lodge events.

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LODGE CONTRACTS

- ◆ Review all existing contracts to make sure that dates are current
- ◆ If a vendor is providing service for the Lodge, there should be a contract
- ◆ Contact an attorney before signing any contract on behalf of the Lodge
- ◆ Lodge officers should be involved in contract negotiations
- ◆ A lease should be reviewed by an attorney before signing lease documents
- ◆ Vendor contracts should indemnify the Lodge and provide proof of insurance





Happy Holidays!

MISCELLANEOUS TIPS

Furniture/Equipment: A Lodge can reduce the likelihood of a claim arising from the use of tables, chairs, stools and furniture by proper planning:

- ◆ Inspect each chair, stool and table to make sure that it is safe;
- ◆ Repair damaged or worn items immediately;
- ◆ Promptly discard any table, stool or chair that is not repaired; and
- ◆ Do not place damaged or worn items aside since someone may not realize that the item is not safe.

Improve Lighting: A Lodge can reduce potential claims by taking a few minutes to check the following:

- ◆ Repair or replace any inoperable light fixtures;
- ◆ Replace any burned out light bulbs;
- ◆ Use a light bulb that meets the maximum wattage for the light fixture;
- ◆ Clean light fixtures and covers to allow maximum light; and
- ◆ Consider the benefit to have an electrician install additional lighting in a dimly lit area.

COLD WEATHER PIPE DAMAGE

- As cold weather approaches, it is time for Lodges to take steps to avoid frozen pipes
- Adequate heat in buildings must be maintained to prevent pipes from freezing and breaking
- Insulation near plumbing fixtures will reduce the likelihood of frozen pipes
- Pipes can be wrapped with insulation to reduce the risk of freezing
- Open cabinet doors below sinks to allow air to circulate and avoid frozen pipes



ROOF MAINTENANCE

Claims for water leakage and damage to contents may result from a Lodge failing to properly maintain a roof.

All roofs experience wear and tear, no matter what type of roof.

Snow and ice accumulation can accelerate the need for repairs.

The lifespan of a roof can be extended by proper maintenance.

The Property Plus Program only pays for unexpected losses, not wear and tear.



Elks Gear Up for Christmas

During the Christmas season, Elks Lodges around the country gear up and show their holiday spirit in their communities by helping those in need. Throughout the month of December, Lodges often host Christmas parties for needy children. Lodges contribute generously to charities that assist families and children, such as the Salvation Army and the U.S. Marine Corps Reserve Toys for Tots Program. Elks Lodges also provide Christmas food boxes to thousands of families, many of which contain toys and gifts for the families' children.

Of course, Elks never forget our Veterans. Christmas is a time of giving and Veterans are always on Santa's list. This great effort typically involves significant preparation at the Lodge. Members and guests work long hours to prepare for Christmas. Members invite guests to learn more about the great deeds that Elks accomplish. This is a great opportunity to expand our membership and welcome people in our communities to join our Lodges!

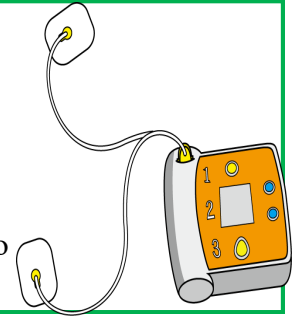
A clean Lodge makes a lasting impression on guests. Putting our best foot forward is not only a great way to attract new Members, but it is way to make our Lodges safer for everyone. Please consider the following this Christmas Season:

- ◆ Avoid using electrical extension cords that may create a tripping hazard
- ◆ Keep natural Christmas trees watered to minimize a fire risk
- ◆ Floors should be mopped regularly and carpets cleaned, for better footing to avoid falls
- ◆ Kitchen counters and cabinets should be clean to make the kitchen a safe place
- ◆ Christmas lights or decorations that are worn or frayed must be discarded
- ◆ Refrigerators can be cleaned, freezers should be defrosted and old food can be discarded



AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

- ◆ Each State has its own laws regulating Automated External Defibrillators (AED)
- ◆ A Member, Officer or employee is not immune from lawsuits in many States
- ◆ H.R.4152–Cardiac Arrest Survival Act is a bill that guarantees national immunity
- ◆ H.R.4152–Cardiac Arrest Survival Act is pending in the Houses of Representatives
- ◆ Elks should email their Congressman and demand that H.R.4152 be passed to guarantee immunity for our Members, Officers and employees using an AED



REPAIR WORK AT LODGES

Issues to be addressed when there are repairs or construction at a Lodge:

- Every contractor must provide proof (an insurance certificate) that the contractor has liability insurance;
- Every contractor must prepare a written contract that will indemnify the Lodge from any claims arising out of the work;
- Projects involving extensive repairs and renovation require that the contractor name the Lodge as additional insured under its general liability policy;
- The Lodge should never take on the role of general contractor;
- Volunteers should not be performing repairs;
- No one from the Lodge should act as a construction manager/coordinator;
- Any Member that is a contractor must also have proof of insurance and prepare a written contract; and
- When constructing a new building, putting on an addition, or making substantial renovations, the Lodge must contact Aon Affinity Services at 1-800-421-3557 to make sure proper insurance coverage is obtained.



SERVICE OF ALCOHOL TO MEMBERS AND GUESTS

The service of alcohol is a *privilege* the Lodge extends to Members and their guests, not a means of revenue for the Lodge. Cutting off a Member or guest who is approaching intoxication is better than defending a multi-million dollar lawsuit.

- Never serve anyone approaching intoxication;
 - Do not let others buy drinks for anyone who might be close to intoxication;
 - Stop service to anyone else if they will give drinks to anyone approaching intoxication;
 - No beer kegs, no pitchers and no coolers;
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- Remind Members/guests not to drink and drive;
 - Be observant while serving alcohol;
 - Encourage designated drivers;
 - Never permit BYOB;
 - Do not allow games/contests involving alcohol consumption;
 - An outdoor tent/bar must have a server;
 - Do not hold a “Happy Hour”;
 - Never discount prices to promote liquor sales;
 - “Last call” should be well before closing;
 - Insist on a taxi or a ride for anyone who drank too much; and
 - Members that have a problem need our help, now!

Happy New Year!

WINTER ACTIVITIES

Less daylight and colder temperatures may invite dangerous activities that can result in injuries and should be avoided:

- ◆ Drinking alcohol while operating a snowmobile
- ◆ Crossing thin ice on a snowmobile, sled or toboggan
- ◆ Sledding/tobogganing near trees, posts and immovable objects
- ◆ Ice skating on bodies of water with thin ice
- ◆ Warming up a car in a poorly ventilated area
- ◆ Shoveling heavy wet snow can result in a heart attack
- ◆ Unsecured pools areas in the offseason invite mischief
- ◆ Mixing alcohol with outdoor nighttime activities
- ◆ Using ladders to decorate hard to reach heights may result in a fall
- ◆ Pushing/pulling vehicles that are stuck in the snow or ice
- ◆ Polar plunges without EMS/First Responder participation and supervision



BEWARE OF SCAMS

Scam artists always follow the money, so look out for the following:

- Deposit cash in the bank promptly, do not wait until the next day
- Government agencies/Law Enforcement never ask anyone for cash for any reason
- Do not provide anyone with bank account information
- The IRS never directs Not For Profit Corporations to make special payments
- Someone “in need” requests plane fare and cash since they heard that the Elks do good deeds
- An unsolicited “free” inspection of the roof or crawlspace will result in an unnecessary repair bill
- Make sure that you know the sender of an e-mail before you open it to avoid cyber scams

CERTIFICATES OF INSURANCE

What you need to do when someone requests a certificate of insurance from the Lodge:

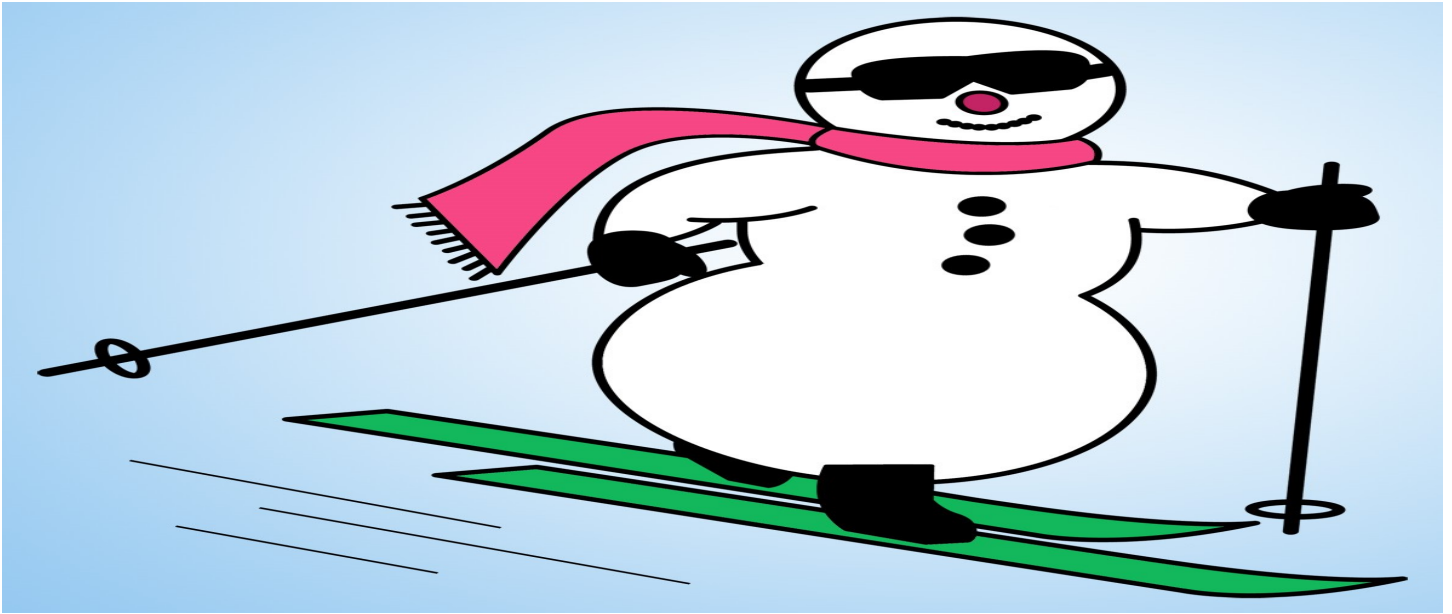
- ◆ A “Certificate of Liability Insurance” can be found on page 8 of the Liability Insurance Program
- ◆ Copy the certificate and provide it to anyone that requires proof that the Lodge has liability insurance
- ◆ Lodges that require specialized certificates should also refer to page 9 of the Liability Insurance Program for guidance on how to obtain a certificate through Aon Affinity Services, Inc. (The Elks Team)
- ◆ Contact the Grand Lodge Insurance Department with any questions about certificates of insurance

“SPECIAL EVENT” POLICIES

Anyone using Lodge facilities must sign an indemnity agreement *and* provide a Certificate of Insurance that names the Lodge as additional insured.

If the entity or individual cannot name the Lodge as additional insured on their insurance policy, special event policies can be obtained by contacting Aon Affinity Services at 1-800-421-3557.





DIRECTORS & OFFICERS (D&O) INSURANCE

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EMPLOYMENT PRACTICES INSURANCE

All Lodges should have Directors & Officers Insurance and Employment Practices Insurance and now is a great time to contact Aon and get a quote if your Lodge does not have D&O Insurance

- ◆ The Lodge is covered for allegations of many types of wrongful acts
- ◆ There is also coverage for Directors, Officers and Trustees who are sued individually
- ◆ Protection for claims that improper decisions were made in Lodge operations
- ◆ Defends against lawsuits for libel, slander and defamation
- ◆ Covers discrimination claims based on age, sex or race
- ◆ Defends wrongful termination lawsuits filed by former employees
- ◆ Provides coverage for employment harassment claims and suits
- ◆ Shields the personal assets of Directors, Officers and Trustees who are sued individually
- ◆ Pays the professional fees of a lawyer to represent the Directors, Officers or Trustees
- ◆ The legal fees to defend the Lodge are covered by the insurance policy

